

## **REMARKS**

Claims 3, 4, and 12 have been cancelled. Claims 1, 2, 5, 8, 9, 13, 16, 19-22, 25, and 28-30 have been amended to clarify the subject matter regarded as the invention. New Claims 31-32 have been added. Claims 1-2, 5-11, and 13-32 are pending.

### ***Claim Rejections – 35 U.S.C. §103(a)***

The Examiner has rejected Claims 1, 2, and 5-30 under 35 U.S.C. §103(a) as being unpatentable over Blalock et al. (Pub. No. 2001/0047284) in view of Sheth (Pub. No. 2001/0032170). The rejections are respectfully traversed.

As amended, independent Claims 1, 13, and 22 each recite assigning “at least one identifier to the bidders in the first subset, wherein the at least one identifier is known to the bidders in the first subset and is neither assigned to nor known to the bidders in the second subset.” Support for the amendment may be found, without limitation, on Page 6 of the Specification.

As previously explained, in Figures 11-1 through 11-4 of Blalock, a matrix 132 has geographical regions as both row and column headings. Paragraph [0145] of Blalock explains that the lowest rate for shipping from one region to another can be determined by locating the cell having the appropriate origin (row) and destination (column). Also as explained previously, in Blalock, “Zone:AL” and “Zone:AR” (shown in Figure 11-1) appear to be labels of geographic regions, and thus known by all parties at all times. Further, those labels do not appear to be used as identifiers of subsets of bidders.

As neither Blalock, nor Sheth, whether considered individually or in combination, discloses assigning “at least one identifier to the bidders in the first subset, wherein the at least one identifier is known to the bidders in the first subset and is neither assigned to nor known to the bidders in the second subset,” independent Claims 1, 13, and 22 are believed to be allowable.

Claims 2, 5-11, 14-21, and 23-30 depend, either directly or indirectly from one of the aforementioned claims and are therefore believed to be allowable for the same reasons described above.

### *New Claims*

New Claims 31 and 32 depend from Claim 1 and are therefore also believed to be allowable. Support for New Claims 31 and 32 may be found, without limitation, in Paragraph [0030] of the Specification.

The foregoing amendments are not to be taken as an admission of unpatentability of any of the claims prior to the amendments.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

Dated: March 23, 2010

/Robyn Wagner/  
Robyn Wagner  
Registration No. 50,575  
V 408-973-2596  
F 408-973-2595

VAN PELT, YI & JAMES LLP  
10050 N. Foothill Blvd., Suite 200  
Cupertino, CA 95014